

CITY OF VENTURA
CITY COUNCIL AGENDA

Mayor Neal Andrews

Cheryl Heitmann, Councilmember
Matt LaVere, Deputy Mayor
Jim Monahan, Councilmember

Erik Nasarenko, Councilmember
Mike Tracy, Councilmember
Christy Weir, Councilmember

Donald E. Penman, Interim City Manager
Gregory G. Diaz, City Attorney
Antoinette M. Mann, City Clerk

AMENDED
10/04/18
ADDED ITEM 8D.

REGULAR MEETING

MONDAY, OCTOBER 8, 2018

COUNCIL CHAMBERS, 501 POLI STREET, VENTURA

CLOSED SESSION – 5:00 P.M.

REGULAR MEETING – 6:00 P.M.



The regular meetings of the San Buenaventura (Ventura) City Council also serve as regular meetings of the Successor Agency and Public Facilities Financing Authority when Successor Agency and Public Facilities Financing Authority items are listed on the agenda.

The public has the opportunity to address the City Council on any item appearing on the agenda. Persons wishing to address the City Council are limited to three minutes on any agenda item with a cumulative total of five minutes for all agenda items, except if there are one or more Successor Agency and Public Facilities Financing Authority items on the agenda, members of the public shall have an additional total of three minutes on any agenda item with a cumulative total of five minutes for all agenda items to address all Successor Agency and Public Facilities Financing Authority matters.

At the first regular meeting of the month, City Council has allocated a total of 30 minutes for members of the public to address City Council on items of City business other than scheduled agenda items near the beginning of the agenda and will continue speakers beyond the 30 minutes until the end of the agenda under the heading of "Public Communications". Individuals may not acquire additional time from other speakers during Public Communications but may do so on formal agenda items per City Council Protocols. City Council cannot take action on any items not on the agenda. These items may be referred to staff or scheduled on a future agenda.

Persons wishing to address City Council should complete and submit a green "Speaker Form." If a member of the public wishes to comment on an item, complete a pink "Comment Form." Both forms are on a table inside the meeting room.

Administrative Reports relating to this agenda are available in the City Clerk's Office, 501 Poli Street, Room 204, Ventura, during normal business hours as well as on the City's website – <https://www.cityofventura.ca.gov/AgendaCenter>.

Public Hearing Notices and any materials related to an agenda item submitted to the City Council after distribution of the agenda packet are available for public review at the City Clerk's Office as well as on the City's website – <https://www.cityofventura.ca.gov/1236/9455/City-Council-Public-Hearing-NoticesSuppl>.

In compliance with the Americans with Disabilities Act, if you need assistance to participate in this meeting, please contact the City Clerk's Office at (805) 658-4787 or the California Relay Service at (866) 735-2929. Notification 72 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

CS1. CALL TO ORDER – CLOSED SESSION – 5:00 p.m.

CS2. ROLL CALL

CS3. PUBLIC COMMUNICATIONS: Public comments on Closed Session Items only.

CS4. CLOSED SESSION – City Manager's Conference Room

CONFERENCE WITH LEGAL COUNSEL - Existing Litigation

Name of Case: Matthew Baumann v. City of San Buenaventura
Workers' Compensation Appeals Board Numbers: ADJ10658025
Authority: Government Code Section 54956.9 (d) (1)

1. CALL TO ORDER – REGULAR SESSION – 6:00 p.m.

2. ROLL CALL

3. PLEDGE OF ALLEGIANCE

4. SPECIAL PRESENTATIONS AND ANNOUNCEMENTS

Presentation: Rondi Gunthrie, Government Relations Manager, Southern California Edison, "Wildfire and Emergency Procedures"

5. CLOSED SESSION REPORT

6. CITY COUNCIL COMMUNICATIONS

Per Government Code Section 54954.2(a)(2), the Council Communications section of the agenda provides City Council the opportunity to ask a question for clarification, make a brief announcement, or make a brief report on his or her own activities.

7. PUBLIC COMMUNICATIONS

8. CONSENT ITEMS

Matters appearing on the Consent Calendar are expected to be non-controversial and will be acted upon by City Council at one time without discussion unless a Councilmember, the Administration, or a member of the public requests an opportunity to address any given item. Items removed from the Consent Calendar will be discussed at the beginning of the Formal Items. Approval by the City Council of Consent Items means the recommendation of the Administration is approved along with the terms and conditions described in the Administrative Report.

8A. Move all resolutions and ordinances presented tonight be read in title only and all further reading be waived.

CONSENT ITEMS (continued)

8B. [Conflict of Interest Code – Biennial Review/Update](#)

Staff: Antoinette M. Mann, City Clerk

RECOMMENDATION

Adopt a resolution updating the Conflict of Interest Code for the City of San Buenaventura, updating designated employees, officers and disclosure categories and rescinding Resolution No. 2016-057, title as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, UPDATING DESIGNATED EMPLOYEES, OFFICERS, AND DISCLOSURE CATEGORY LIST FOR FAIR POLITICAL PRACTICES ACT REQUIREMENTS (CONFLICT OF INTEREST) AND RESCINDING RESOLUTION NO. 2016-057

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, UPDATING DESIGNATED EMPLOYEES, OFFICERS, AND DISCLOSURE CATEGORY LIST FOR FAIR POLITICAL PRACTICES ACT REQUIREMENTS (CONFLICT OF INTEREST) AND RESCINDING RESOLUTION NO. 2016-057
RESOLUTION NO. 2018-____

8C. [Consideration of Resolution Re-Confirming the Existence of a Local Public Health Emergency](#)

Staff: Gregory G. Diaz, City Attorney

RECOMMENDATION

Adopt a Resolution re-confirming Local Public Health Emergency, title as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, RE-CONFIRMING THE EXISTENCE OF A LOCAL PUBLIC HEALTH EMERGENCY

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, RE-CONFIRMING THE EXISTENCE OF A LOCAL PUBLIC HEALTH EMERGENCY
RESOLUTION NO. 2018-____

8. CONSENT ITEMS (continued)

8D. [Approval of future projects utilizing the State Road Repair and Accountability Act of 2017 Project List and Appropriate Funding \(SB 1\)](#)

Staff: Barry Fisher, Acting Assistant City Manager

RECOMMENDATION

Adopt an updated resolution for the Fiscal Year 2018-2019 Project List adding future project(s) on the Road Repair and Accountability Act of 2017 project list.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, TO ADOPT A LIST OF PROJECTS FUNDED BY SB1: THE ROAD REPAIR AND ACCOUNTABILITY ACT
RESOLUTION NO. 2018-____

9. APPOINTMENTS TO COUNCIL ADVISORY GROUPS – None

10. QUASI-JUDICIAL PROCEEDINGS – None

11. PUBLIC HEARING ITEMS – None

12. FORMAL ITEMS

12A. [Southern California Edison Wildfire Mitigation and Grid Resiliency Letter](#)

Staff: Mary Joyce Ivers, Interim Public Works Director

RECOMMENDATION

- a. Authorize the Mayor to sign a letter to Southern California Edison providing the City's position on the impacts of their public safety power shutoff to the Ventura community.
- b. Authorize the City Manager on behalf of the City Council to transmit a copy of the letter to the California Public Utilities Commission.

12B. [Adoption of a Resolution Appointing Alex McIntyre to the Position of City Manager and Approval of an Employment Agreement for City Manager](#)

Introduced by: Matt LaVere, Deputy Mayor

FORMAL ITEMS (continued)

RECOMMENDATION

- a. Adopt a resolution appointing Alex McIntyre to the position of City Manager.
- b. Approve an Employment Agreement for City Manager Alex McIntyre

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, APPOINTING ALEX MCINTYRE TO THE POSITION OF CITY MANAGER AND APPROVING AN EMPLOYMENT AGREEMENT ESTABLISHING SALARY AND BENEFITS IN CONNECTION WITH SAID APPOINTMENT

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, APPOINTING ALEX MCINTYRE TO THE POSITION OF CITY MANAGER AND APPROVING AN EMPLOYMENT AGREEMENT ESTABLISHING SALARY AND BENEFITS IN CONNECTION WITH SAID APPOINTMENT

RESOLUTION NO. 2018-____

12C. [Consideration of Ordinance Requiring Sellers of Mobilehomes in Mobilehome Parks Subject to the City's Mobilehome Rent Stabilization Ordinance to Make Certain Disclosures to Potential Purchasers of their Mobilehome](#)

Staff: Gregory G. Diaz, City Attorney

RECOMMENDATION

- a. Introduce and approve the first reading of an ordinance, title as follows:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, AMENDING DIVISION 6, 'BUSINESS REGULATIONS,' OF THE SAN BUENAVENTURA MUNICIPAL CODE TO ADD CHAPTER 6.1000, 'DISCLOSURE REQUIRED OF MOBILEHOME SELLERS IN CERTAIN MOBILEHOME PARKS,' TO REQUIRE SELLERS OF MOBILEHOMES IN MOBILEHOME PARKS SUBJECT TO THE CITY'S RENT STABILIZATION ORDINANCE TO PROVIDE A DISCLOSURE OF THE SAME TO ALL POTENTIAL PURCHASERS

12. FORMAL ITEMS (continued)

- b. Schedule second reading and adoption at the City Council meeting of October 15, 2018.

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, AMENDING DIVISION 6, 'BUSINESS REGULATIONS,' OF THE SAN BUENAVENTURA MUNICIPAL CODE TO ADD CHAPTER 6.1000, 'DISCLOSURE REQUIRED OF MOBILEHOME SELLERS IN CERTAIN MOBILEHOME PARKS,' TO REQUIRE SELLERS OF MOBILEHOMES IN MOBILEHOME PARKS SUBJECT TO THE CITY'S RENT STABILIZATION ORDINANCE TO PROVIDE A DISCLOSURE OF THE SAME TO ALL POTENTIAL PURCHASERS

ORDINANCE NO. 2018-____

12D. [Public Works Strategic Plan Fiscal Year 2018-2019](#)

Staff: Mary Joyce Ivers, Interim Public Works Director

RECOMMENDATION

Receive an oral report on Public Works Strategic Plan Fiscal Year 2018-2019.

13. WORKSHOPS – None

14. PUBLIC NOTICES

Items listed under Public Notices are a matter of public record only. These items do not require City Council action.

14A. [Recent Decisions of the Planning Commission](#)

Planning Commission September 12, 2018 Actions: Approved

PROJ-5085 – Case No. EXT-2-18-44304; DRC-10-12-13194; E-10-12-13193; W-5-15-27938; HPR-10-12-13197; CDP-10-12-13199; EIR-10-12-13200

Request for an Amendment to Resolution No 2015-057 (consisting of a Design Review Permit, Exception, Warrants and Coastal Development Permit) to extend the permit entitlements for an additional three years. The permits are associated with a 255-unit multi-family development consisting of Stacked Dwelling and Mansion Building Types ranging from 3-5 stories high on 3.5-acres located at 120 East Santa Clara Street; Pacific Heritage Communities, applicant; Urban General 3 (T4.3) Zone.

14. PUBLIC NOTICES (continued)

PROJ-11861 – Case No. UP-10-17-42487; MDRC-10-17-42496

Request for an Alcohol Use Permit allowing a Type 41 license (On-Sale Beer and Wine for Bona Fide Public Eating Place) for an existing restaurant, Tony's Pizzeria. Alcohol sales and service are requested to occur daily from 10:00 a.m. to 1:00 a.m. Also proposed is the installation of a new fence and gates on the subject site, 3.5 feet in height, to the north and west of the restaurant structure. The restaurant occupies a 465 square-foot single-story structure, while the customer service seating area is comprised of a 2,618 square-foot fenced-in area located entirely outside the building. The property is situated on a 5,562 square-foot parcel located at 186 East Thompson Boulevard; Bruce Barrios, Tony's Pizzeria, LLC, applicant; Zoned T5.1 Figueroa Frontage.

PROJ-12050 – Case No. CUP-12-17-43339

Request for an Alcohol Use Permit allowing an ABC Type 21 license (Off-Sale General) that would allow the sale of beer, wine and distilled spirits for the Lucky 7 Food Mart convenience store which is currently operating with a deemed-approved ABC Type 20 (Off-Sale Beer & Wine) license. Operating hours and alcohol sale hours would be from 6:00 AM to 11:00 PM daily. The applicant occupies a 2,160-square foot suite with an approximately 900 square-foot customer area with 58.5 linear feet of display area devoted to beer and wine and 20.5 linear feet of display area devoted to spirits within an approximately 10,000-square foot building on a 37,346 square-foot parcel located at 10337 Telephone Road; Scandia I, Inc., applicant; Zoned C-1A.

7. PUBLIC COMMUNICATIONS

14. CITY COUNCIL COMMUNICATIONS/REPORTS – REGIONAL BOARDS/ COMMISSIONS/COMMITTEES

Per Governmental Code Section 54954.2(a)(2), the Council Communications section of the agenda provides City Council the opportunity to ask a question for clarification, make a brief announcement, or make a brief report on his or her own activities. Councilmembers serving on regional boards, commissions, or committees to present a verbal report to the full City Council on the activities of the respective boards, commission, or committees upon which they serve.

15. CITY MANAGER COMMUNICATIONS

16. ADJOURNMENT

This agenda was posted on Wednesday, October 3, 2018, at 5:30 p.m. in the City Clerk's Office, on the City Hall Public Notices Board and on the Internet. Amended agenda posted Friday, October 5, 2018 at 10:00 a.m.